



03C0

Atty's Dkt: TAYLOR 1F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: TAYLOR et al.
Serial No.: 09/729,226
Filing Date: December 5, 2000
For: PROBE
Application Division
Washington, D.C.
August 27, 2001
Confirmation No. 8271

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

HON. COMMISSIONER OF PATENTS
Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" dated June 26, 2001.

- [xx] Attached hereto are formal drawings, Figs.1-13B.
[] Applicant claims small entity status. See 37 CFR 1.27.
[] Preliminary Amendment.
[] An Information Disclosure Statement with 08A-1449 and references is also attached.
[xx] The notice requires a sequence listing. However, the Sequence Listing Rule apply only to sequences first disclosed on or after October 1, 1990. All sequences were first disclosed in 07/381,663, filed September 7, 1989, or earlier. Therefore this requirement does not apply, and should be withdrawn. See MPEP §2420, 2421.01; Preamble of October 1, 1990 rules, cited at page App. F94 of Cooper, Biotechnology and the Law (2000) (copy enclosed).
[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | Small Entity | Other Than Small Entity |
|-----------------------------|-----------------------------|
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 195.00 | [] Second - \$ 390.00 |
| [] Third - \$ 445.00 | [] Third - \$ 890.00 |
| [] Fourth - \$ 695.00 | [] Fourth - \$1,390.00 |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
[] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ enclosed to cover the above fees.
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

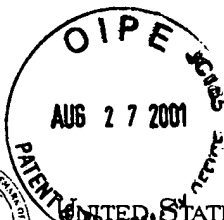
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Iver P. Cooper
Registration No. 28,005

624 Ninth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 628-5197
Facsimile: (202) 737-3528

F:\J\J\jake\taylor1f\pto\response\notice\to\file\corrected\application\papers.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/729,226	12/05/2000	Joyce Taylor-Papadimitriou	TAYLOR=1F

CONFIRMATION NO. 8271

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303

FORMALITIES LETTER



OC000000006226492

Date Mailed: 06/26/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

ptv

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE